

# **EXHIBIT 1**

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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION**

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

vs.

JAMMIN' JAVA CORP., dba MARLEY  
COFFEE, SHANE G. WHITTLE,  
WAYNE S. P. WEAVER, MICHAEL K.  
SUN, RENE BERLINGER, STEPHEN B.  
WHEATLEY, KEVIN P. MILLER,  
MOHAMMED A. AL-BARWANI,  
ALEXANDER J. HUNTER, and  
THOMAS E. HUNTER,

Defendants.

Case No. 2:15-CV-08921-SVW-MRW

**SECOND DECLARATION OF R.  
KEVIN BARRETT**

1 I, R. Kevin Barrett, declare under penalty of perjury, pursuant  
2 to 28 U.S.C. § 1746, that the following is true and correct, that this  
3 declaration is made on my personal knowledge, and that I am  
4 competent to testify as to the matters stated below:

5 1. I am a Senior Accountant in the Division of Enforcement of the  
6 United States Securities and Exchange Commission (the "Commission" or  
7 the "SEC") in its office in Chicago, Illinois. I have been employed as an  
8 Accountant in the Enforcement Division of the SEC since March 1998.

9 2. My official duties with the Commission include participating  
10 in fact-finding inquiries and investigations to determine whether the  
11 federal securities laws have been, are presently, or are about to be  
12 violated, and assisting in the Commission's litigation of securities law  
13 violations. One of my duties in that position is to obtain for SEC  
14 investigations and litigation various kinds of information relating to  
15 companies whose securities are publicly traded on national securities  
16 markets. As part of my job, I routinely obtain bank records, trading  
17 records, and other financial records typically maintained at all varieties of  
18 financial institutions, including banks, brokerage firms, and investment  
19 adviser firms, and am intimately familiar with the type of records  
20 maintained by such entities.

21 3. I received B.S. and M.S. degrees in Accounting from the  
22 University of Illinois and an M.S. degree in Financial Markets & Trading  
23 from the Illinois Institute of Technology. I received my certification as a  
24 certified public accountant from the state of Illinois in 1976.

25 4. Prior to my employment with the Commission, I worked in the  
26 public accounting profession for three and one-half years, and in the  
27 securities industry for nearly seventeen and one-half years in several  
28 capacities, including as a controller at a financial services firm and as a

1 trader on the Chicago Stock Exchange (“CSE”) and the Chicago Board  
2 Options Exchange (“CBOE”).

3 5. On March 29, 2017, I provided declaration testimony and  
4 related transaction schedules in this case in support of the SEC’s Motion  
5 for Summary Judgment. (Dkt. #174-1; Dkt. #174-2.) In connection with  
6 that testimony, I reviewed thousands of pages of financial records  
7 produced in this case that relate to (a) the acquisition, transfer, and sale  
8 of Jammin’ Java Corp. (“Jammin’ Java” or “JAMN”) stock by the  
9 Defendants from 2006 through approximately May 2011, and (b) the  
10 transfer of proceeds from those sales of Jammin Java stock. The records I  
11 have reviewed in connection with this case have been identified in a  
12 categorical list of documents that was filed with the Court in connection  
13 with the SEC’s reply brief in support of its motion for summary judgment.  
14 (Dkt. #187-1.)

15 6. In connection with the SEC’s Motion for Summary Judgment  
16 (Dkt. #171), I prepared a schedule of all Jammin Java sales from  
17 December 2010 through May 2011 by entities owned by Wayne Weaver  
18 and his co-Defendants. (Dkt. #174-2, 3/29/2017 Barrett Decl. at Ex. C(i)  
19 and C(ii).) This schedule identified the date of each sale of Jammin Java  
20 stock by Defendants’ entities, the entity selling the stock, the number of  
21 shares sold, the executed average price per share for each trade, and the  
22 proceeds from each sale. (*Id.*) Exhibit C(i) to my March 29, 2017  
23 Declaration summarized the sales for all entities and organized them  
24 chronologically. (*Id.*) Exhibit C(ii) to my March 29, 2017 Declaration  
25 summarized the same sales and organized them by the selling entity. (*Id.*)

26 7. Using Schedules C(i) and C(ii), along with the bank and  
27 brokerage records I have previously reviewed reflecting cash and stock  
28 transfers to and from the Defendants’ entities, I have calculated the

overall proceeds from the sale of Jammin Java stock – from December 2010 through May 2011 – for the following entities owned by Wayne Weaver: Donnolis Invest Corp., Arcis Assets S.A., Timotei Overseas, Inc., Calgon Invest S.A., and Manitou, S.A. Those sales proceeds are:

<u>Entity</u>	<u>Gains From The Sale of Jammin Java Stock</u>
Arcis	\$ 6,306,924.44
Donnolis	\$ 156,497.46
Manitou	\$ 5,855,174.87
Timotei	\$ 4,686,330.77
Calgon	\$ 5,807,226.65
<b>TOTAL:</b>	<b>\$ 22,812,154.19</b>

8. In connection with my March 29, 2017 Declaration, I also created a summary schedule of available information reflecting how each of the Defendants' entities used the proceeds from their sale of Jammin Java stock. (Dkt. #174-2, 3/29/2017 Barrett Decl. at Ex. G.) This schedule was organized by entity and identified the date of all transfers into and out of that entity, the amount transferred, and – where relevant bank documents provided information – a brief description of the nature of the transfer.

9. Using Schedule G, I have identified the following four cash transfers to Weaver and his entities from entities owned by his co-Defendants:

<u>Date</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
3/15/2011	Torino (Sun)	Arcis (Weaver)	\$700,000
3/25/2011	Las Colinas (Miller)	Blue Leaf Capital (Weaver)	\$1,000,022

4/21/2011	Torino (Sun)	Arcis (Weaver)	\$700,000
9/23/2011	Westpark (Sun)	Donnolis (Weaver)	\$1,159,409
		<b><u>TOTAL:</u></b>	<b>\$3,559,431</b>

10. Based on my review of the available bank and brokerage records for each entity – and as reflected in Ex. G to my 3/29/2017 Declaration – the transfers to Weaver identified in paragraph 9 above came out of the proceeds of the sale of Jammin Java stock by Torino, Las Colinas, and Westpark.

11. Also, Schedule G reflects the following two transfers out of the accounts of Renavial, Ltd. (nominally owned by Defendant Al-Barwani): (1) the December 21, 2011 purchase of \$1,974,282.55 in gold Kruggerrand through Renavial's account at VP Bank, and (2) the April 20, 2012 transfer of \$11,300,021.87 from Renavial's VP Bank account into the account of Tare Finance & Invest Ltd.'s at Aktif Bank in Turkey. (Dkt. #174-2 at p. 59.) Both of these transfers were funded with the proceeds of Renavial's sale of approximately 6,156,698 shares of Jammin Java stock between March 30, 2011 and May 11, 2011. In my calculation of disgorgement – to be conservative and to ensure that subsequent appreciation would not count toward Weaver's disgorgement – I have valued the gold at cost.

12. From the bank documents I have reviewed, I have been able to determine the cash and securities balance remaining in the bank and brokerage accounts of the entities nominally owned by Weaver's co-Defendants as of December 31, 2012. In making this calculation, I valued the securities – common stock in Apple, Inc. and Berkshire Hathaway,



1 Inc. purchased with the proceeds of Jammin Java sales – at cost (to be  
2 conservative so that subsequent appreciation would not count toward  
3 Weaver’s disgorgement). Non-U.S. dollar cash balances (or demand  
4 deposits) were valued at the U.S. dollar exchange rate as of 12/31/2012.  
5 Those 2012 year-end balances are:

<u>Entity</u>	<u>Account Custodian</u>	<u>Balance At End of Scheme</u>
Torino (Sun)	Compagnie Bancaire Helvetique (“CBH”)	\$ 3,069,736.68
Westpark (Sun)	VP Bank / Rigi Capital	\$ 1,506,396.38
Las Colinas (Miller)	VP Bank / Rigi Capital	\$ 1,599,038.22
Renavial (Al-Barwani)	VP Bank / Rigi Capital	\$ 1,621,040.64
<b>TOTAL:</b>		<b>\$ 7,796,211.92</b>

16  
17 13. Based on my review of the available bank and brokerage  
18 records for each entity – and as reflected in Ex. G to my 3/29/2017  
19 Declaration – the balances identified in Paragraph 12 above reflect the  
20 proceeds from the sale of Jammin Java stock by Tornio, Westpark, Las  
21 Colinas, and Renavial.

22 14. In connection with the SEC’s Motion for Remedies, I have  
23 been asked to calculate the prejudgment interest for four categories of  
24 disgorgement: (1) sales proceeds for entities owned by Wayne Weaver (¶ 7  
25 above), (2) cash transfers to Wayne Weaver and his entities from entities  
26 nominally owned by Weaver’s co-Defendants (¶ 9 above), (3) the cash  
27 transfers from Renavial into gold Kruggerrand and Tare Finance’s  
28 Turkish bank account (¶ 11 above), and (4) the December 31, 2012

balance remaining in the primary bank and brokerage accounts for entities owned by Weaver's co-Defendants (§ 12 above).

15. My calculations of pre-judgment interest are attached as Exhibit A. I have completed calculations of prejudgment interest for the following transactions and categories:

Description	Principal Amount	Start/End Date for Calculation	Interest	Ex. A p. __.
Proceeds from Jammin Java Sales By Weaver's Entities	\$22,812,154.19	May 2, 2011 through June 30, 2017	\$4,980,373.15	Ex. A, p.1
Transfers from Torino (Sun) to Arcis (Weaver)	\$1,400,000.00	April 21, 2011 through June 30, 2017	\$311,425.02	Ex. A, p. 2
Transfer from Las Colinas (Miller) to Blue Leaf (Weaver)	\$1,000,022.09	Mar. 25, 2011 through June 30, 2017	\$226,443.75	Ex. A, p. 3
Transfer from Westpark (Sun) to Donnolis (Weaver)	\$1,159,409.08	Sept. 23, 2011 through June 30, 2017	\$234,441.59	Ex. A, p. 4
Purchase of Gold Krugerrand	\$1,974,282.55	Dec. 21, 2011 through June 30, 2017	\$381,402.56	Ex. A, p. 5
Transfer to Tare Finance's Turkish Account	\$11,300,021.87	April 20, 2012 through June 30, 2017	\$2,050,507.82	Ex. A, p. 6
Cash and Securities Balances In Nominee Accounts as of December 31, 2012	\$7,796,211.92	Dec. 31, 2012 through June 30, 2017	\$1,209,364.59	Ex. A, p. 7
<b>TOTAL:</b>	<b>\$47,442,101.70</b>	<b>TOTAL:</b>	<b>\$9,393,958.48</b>	



16. For each calculation, I have assessed interest on a quarterly basis using the rate of interest applied by the Internal Revenue Service for the underpayment of personal income taxes (the “IRS Underpayment Rate”). The attached calculations in Ex. A identify: (a) the quarter for which the interest was applied, (b) the annual rate of interest that applied at the time of that quarter, (c) the interest rate applied during that quarter (a rate that would yield the annual rate if applied for four consecutive quarters), (d) the amount of interest for that quarter, and (e) a running total of principal and interest.

17. Each calculation summary also includes a “Prejudgment Violation Range” which shows the start date and end date for my interest calculation. When the available start date for my interest calculation was in the middle of a month, I began the calculation starting on the first day of the following month. This (a) helped simplify the calculation, and (b) resulted in a slightly lower amount of pre-judgment interest. Although prejudgment interest could run through the Court’s entry of judgment, I selected an end date of June 30, 2017 for each of my prejudgment interest calculations.

18. I have created a summary of the above calculations of disgorgement and prejudgment interest attached as Ex. B. I have calculated total disgorgement and prejudgment interest of \$56,836,060.18.

19. I declare under penalty of perjury that the foregoing is true and correct.

Executed July 10, 2017, at Chicago, Illinois.

R. Kevin Barrett

# **EXHIBIT A**



# U.S. Securities and Exchange Commission

## Division of Enforcement

### Prejudgment Interest Report

#### Wayne Weaver: JAMN Sales Proceeds to Weaver Entities

Quarter Range	Annual Rate	Period Rate	Quarter Interest	Principal+Interest
Violation Amount				\$22,812,154.19
06/01/2011-06/30/2011	4%	0.33%	\$74,998.86	\$22,887,153.05
07/01/2011-09/30/2011	4%	1.01%	\$230,752.67	\$23,117,905.72
10/01/2011-12/31/2011	3%	0.76%	\$174,809.37	\$23,292,715.09
01/01/2012-03/31/2012	3%	0.75%	\$173,740.74	\$23,466,455.83
04/01/2012-06/30/2012	3%	0.75%	\$175,036.68	\$23,641,492.51
07/01/2012-09/30/2012	3%	0.75%	\$178,280.11	\$23,819,772.62
10/01/2012-12/31/2012	3%	0.75%	\$179,624.51	\$23,999,397.13
01/01/2013-03/31/2013	3%	0.74%	\$177,529.79	\$24,176,926.92
04/01/2013-06/30/2013	3%	0.75%	\$180,830.17	\$24,357,757.09
07/01/2013-09/30/2013	3%	0.76%	\$184,184.68	\$24,541,941.77
10/01/2013-12/31/2013	3%	0.76%	\$185,577.42	\$24,727,519.19
01/01/2014-03/31/2014	3%	0.74%	\$182,915.90	\$24,910,435.09
04/01/2014-06/30/2014	3%	0.75%	\$186,316.40	\$25,096,751.49
07/01/2014-09/30/2014	3%	0.76%	\$189,772.70	\$25,286,524.19
10/01/2014-12/31/2014	3%	0.76%	\$191,207.69	\$25,477,731.88
01/01/2015-03/31/2015	3%	0.74%	\$188,465.41	\$25,666,197.29
04/01/2015-06/30/2015	3%	0.75%	\$191,969.09	\$25,858,166.38
07/01/2015-09/30/2015	3%	0.76%	\$195,530.24	\$26,053,696.62
10/01/2015-12/31/2015	3%	0.76%	\$197,008.77	\$26,250,705.39
01/01/2016-03/31/2016	3%	0.75%	\$195,804.44	\$26,446,509.83
04/01/2016-06/30/2016	4%	0.99%	\$263,019.93	\$26,709,529.76
07/01/2016-09/30/2016	4%	1.01%	\$268,554.83	\$26,978,084.59
10/01/2016-12/31/2016	4%	1.01%	\$271,255.06	\$27,249,339.65
01/01/2017-03/31/2017	4%	0.99%	\$268,760.61	\$27,518,100.26
04/01/2017-06/30/2017	4%	1%	\$274,427.08	\$27,792,527.34
Prejudgment Violation Range			Quarter Interest Total	Prejudgment Total
06/01/2011-06/30/2017			\$4,980,373.15	\$27,792,527.34



# U.S. Securities and Exchange Commission

## Division of Enforcement

### Prejudgment Interest Report

#### Wayne Weaver: Cash Transfers to Weaver Entities - Torino

Quarter Range	Annual Rate	Period Rate	Quarter Interest	Principal+Interest
Violation Amount				\$1,400,000.00
05/01/2011-06/30/2011	4%	0.67%	\$9,358.90	\$1,409,358.90
07/01/2011-09/30/2011	4%	1.01%	\$14,209.43	\$1,423,568.33
10/01/2011-12/31/2011	3%	0.76%	\$10,764.52	\$1,434,332.85
01/01/2012-03/31/2012	3%	0.75%	\$10,698.71	\$1,445,031.56
04/01/2012-06/30/2012	3%	0.75%	\$10,778.51	\$1,455,810.07
07/01/2012-09/30/2012	3%	0.75%	\$10,978.24	\$1,466,788.31
10/01/2012-12/31/2012	3%	0.75%	\$11,061.03	\$1,477,849.34
01/01/2013-03/31/2013	3%	0.74%	\$10,932.04	\$1,488,781.38
04/01/2013-06/30/2013	3%	0.75%	\$11,135.27	\$1,499,916.65
07/01/2013-09/30/2013	3%	0.76%	\$11,341.84	\$1,511,258.49
10/01/2013-12/31/2013	3%	0.76%	\$11,427.60	\$1,522,686.09
01/01/2014-03/31/2014	3%	0.74%	\$11,263.71	\$1,533,949.80
04/01/2014-06/30/2014	3%	0.75%	\$11,473.10	\$1,545,422.90
07/01/2014-09/30/2014	3%	0.76%	\$11,685.94	\$1,557,108.84
10/01/2014-12/31/2014	3%	0.76%	\$11,774.30	\$1,568,883.14
01/01/2015-03/31/2015	3%	0.74%	\$11,605.44	\$1,580,488.58
04/01/2015-06/30/2015	3%	0.75%	\$11,821.19	\$1,592,309.77
07/01/2015-09/30/2015	3%	0.76%	\$12,040.48	\$1,604,350.25
10/01/2015-12/31/2015	3%	0.76%	\$12,131.53	\$1,616,481.78
01/01/2016-03/31/2016	3%	0.75%	\$12,057.36	\$1,628,539.14
04/01/2016-06/30/2016	4%	0.99%	\$16,196.40	\$1,644,735.54
07/01/2016-09/30/2016	4%	1.01%	\$16,537.23	\$1,661,272.77
10/01/2016-12/31/2016	4%	1.01%	\$16,703.51	\$1,677,976.28
01/01/2017-03/31/2017	4%	0.99%	\$16,549.90	\$1,694,526.18
04/01/2017-06/30/2017	4%	1%	\$16,898.84	\$1,711,425.02
<b>Prejudgment Violation Range</b>			<b>Quarter Interest Total</b>	<b>Prejudgment Total</b>
<b>05/01/2011-06/30/2017</b>			<b>\$311,425.02</b>	<b>\$1,711,425.02</b>



# U.S. Securities and Exchange Commission

## Division of Enforcement

### Prejudgment Interest Report

#### Wayne Weaver: Cash Transfers to Weaver Entities - Las Colinas

Quarter Range	Annual Rate	Period Rate	Quarter Interest	Principal+Interest
Violation Amount				\$1,000,022.09
04/01/2011-06/30/2011	4%	1%	\$9,972.82	\$1,009,994.91
07/01/2011-09/30/2011	4%	1.01%	\$10,182.96	\$1,020,177.87
10/01/2011-12/31/2011	3%	0.76%	\$7,714.22	\$1,027,892.09
01/01/2012-03/31/2012	3%	0.75%	\$7,667.06	\$1,035,559.15
04/01/2012-06/30/2012	3%	0.75%	\$7,724.25	\$1,043,283.40
07/01/2012-09/30/2012	3%	0.75%	\$7,867.38	\$1,051,150.78
10/01/2012-12/31/2012	3%	0.75%	\$7,926.71	\$1,059,077.49
01/01/2013-03/31/2013	3%	0.74%	\$7,834.27	\$1,066,911.76
04/01/2013-06/30/2013	3%	0.75%	\$7,979.92	\$1,074,891.68
07/01/2013-09/30/2013	3%	0.76%	\$8,127.95	\$1,083,019.63
10/01/2013-12/31/2013	3%	0.76%	\$8,189.41	\$1,091,209.04
01/01/2014-03/31/2014	3%	0.74%	\$8,071.96	\$1,099,281.00
04/01/2014-06/30/2014	3%	0.75%	\$8,222.02	\$1,107,503.02
07/01/2014-09/30/2014	3%	0.76%	\$8,374.54	\$1,115,877.56
10/01/2014-12/31/2014	3%	0.76%	\$8,437.87	\$1,124,315.43
01/01/2015-03/31/2015	3%	0.74%	\$8,316.85	\$1,132,632.28
04/01/2015-06/30/2015	3%	0.75%	\$8,471.47	\$1,141,103.75
07/01/2015-09/30/2015	3%	0.76%	\$8,628.62	\$1,149,732.37
10/01/2015-12/31/2015	3%	0.76%	\$8,693.87	\$1,158,426.24
01/01/2016-03/31/2016	3%	0.75%	\$8,640.72	\$1,167,066.96
04/01/2016-06/30/2016	4%	0.99%	\$11,606.90	\$1,178,673.86
07/01/2016-09/30/2016	4%	1.01%	\$11,851.15	\$1,190,525.01
10/01/2016-12/31/2016	4%	1.01%	\$11,970.31	\$1,202,495.32
01/01/2017-03/31/2017	4%	0.99%	\$11,860.23	\$1,214,355.55
04/01/2017-06/30/2017	4%	1%	\$12,110.29	\$1,226,465.84
Prejudgment Violation Range			Quarter Interest Total	Prejudgment Total
04/01/2011-06/30/2017			\$226,443.75	\$1,226,465.84



# U.S. Securities and Exchange Commission

## Division of Enforcement

### Prejudgment Interest Report

#### Wayne Weaver: Cash Transfers to Weaver Entities - Westpark

Quarter Range	Annual Rate	Period Rate	Quarter Interest	Principal+Interest
Violation Amount				\$1,159,409.08
10/01/2011-12/31/2011	3%	0.76%	\$8,767.04	\$1,168,176.12
01/01/2012-03/31/2012	3%	0.75%	\$8,713.44	\$1,176,889.56
04/01/2012-06/30/2012	3%	0.75%	\$8,778.44	\$1,185,668.00
07/01/2012-09/30/2012	3%	0.75%	\$8,941.10	\$1,194,609.10
10/01/2012-12/31/2012	3%	0.75%	\$9,008.53	\$1,203,617.63
01/01/2013-03/31/2013	3%	0.74%	\$8,903.47	\$1,212,521.10
04/01/2013-06/30/2013	3%	0.75%	\$9,068.99	\$1,221,590.09
07/01/2013-09/30/2013	3%	0.76%	\$9,237.23	\$1,230,827.32
10/01/2013-12/31/2013	3%	0.76%	\$9,307.08	\$1,240,134.40
01/01/2014-03/31/2014	3%	0.74%	\$9,173.60	\$1,249,308.00
04/01/2014-06/30/2014	3%	0.75%	\$9,344.14	\$1,258,652.14
07/01/2014-09/30/2014	3%	0.76%	\$9,517.48	\$1,268,169.62
10/01/2014-12/31/2014	3%	0.76%	\$9,589.45	\$1,277,759.07
01/01/2015-03/31/2015	3%	0.74%	\$9,451.92	\$1,287,210.99
04/01/2015-06/30/2015	3%	0.75%	\$9,627.63	\$1,296,838.62
07/01/2015-09/30/2015	3%	0.76%	\$9,806.23	\$1,306,644.85
10/01/2015-12/31/2015	3%	0.76%	\$9,880.38	\$1,316,525.23
01/01/2016-03/31/2016	3%	0.75%	\$9,819.98	\$1,326,345.21
04/01/2016-06/30/2016	4%	0.99%	\$13,190.97	\$1,339,536.18
07/01/2016-09/30/2016	4%	1.01%	\$13,468.56	\$1,353,004.74
10/01/2016-12/31/2016	4%	1.01%	\$13,603.98	\$1,366,608.72
01/01/2017-03/31/2017	4%	0.99%	\$13,478.88	\$1,380,087.60
04/01/2017-06/30/2017	4%	1%	\$13,763.07	\$1,393,850.67
<b>Prejudgment Violation Range</b>			<b>Quarter Interest Total</b>	<b>Prejudgment Total</b>
10/01/2011-06/30/2017			\$234,441.59	\$1,393,850.67





# U.S. Securities and Exchange Commission

## Division of Enforcement

### Prejudgment Interest Report

#### Wayne Weaver: Asset Transfers - Physical Gold

Quarter Range	Annual Rate	Period Rate	Quarter Interest	Principal+Interest
Violation Amount				\$1,974,282.55
01/01/2012-03/31/2012	3%	0.75%	\$14,726.21	\$1,989,008.76
04/01/2012-06/30/2012	3%	0.75%	\$14,836.05	\$2,003,844.81
07/01/2012-09/30/2012	3%	0.75%	\$15,110.96	\$2,018,955.77
10/01/2012-12/31/2012	3%	0.75%	\$15,224.91	\$2,034,180.68
01/01/2013-03/31/2013	3%	0.74%	\$15,047.36	\$2,049,228.04
04/01/2013-06/30/2013	3%	0.75%	\$15,327.10	\$2,064,555.14
07/01/2013-09/30/2013	3%	0.76%	\$15,611.43	\$2,080,166.57
10/01/2013-12/31/2013	3%	0.76%	\$15,729.48	\$2,095,896.05
01/01/2014-03/31/2014	3%	0.74%	\$15,503.89	\$2,111,399.94
04/01/2014-06/30/2014	3%	0.75%	\$15,792.11	\$2,127,192.05
07/01/2014-09/30/2014	3%	0.76%	\$16,085.07	\$2,143,277.12
10/01/2014-12/31/2014	3%	0.76%	\$16,206.70	\$2,159,483.82
01/01/2015-03/31/2015	3%	0.74%	\$15,974.26	\$2,175,458.08
04/01/2015-06/30/2015	3%	0.75%	\$16,271.23	\$2,191,729.31
07/01/2015-09/30/2015	3%	0.76%	\$16,573.08	\$2,208,302.39
10/01/2015-12/31/2015	3%	0.76%	\$16,698.40	\$2,225,000.79
01/01/2016-03/31/2016	3%	0.75%	\$16,596.32	\$2,241,597.11
04/01/2016-06/30/2016	4%	0.99%	\$22,293.48	\$2,263,890.59
07/01/2016-09/30/2016	4%	1.01%	\$22,762.62	\$2,286,653.21
10/01/2016-12/31/2016	4%	1.01%	\$22,991.49	\$2,309,644.70
01/01/2017-03/31/2017	4%	0.99%	\$22,780.06	\$2,332,424.76
04/01/2017-06/30/2017	4%	1%	\$23,260.35	\$2,355,685.11
<b>Prejudgment Violation Range</b>			<b>Quarter Interest Total</b>	<b>Prejudgment Total</b>
<b>01/01/2012-06/30/2017</b>			<b>\$381,402.56</b>	<b>\$2,355,685.11</b>



# U.S. Securities and Exchange Commission

## Division of Enforcement

### Prejudgment Interest Report

#### Wayne Weaver: Asset Transfers - Tare Finance & Invest Limited

Quarter Range	Annual Rate	Period Rate	Quarter Interest	Principal+Interest
Violation Amount				\$11,300,021.87
05/01/2012-06/30/2012	3%	0.5%	\$56,500.11	\$11,356,521.98
07/01/2012-09/30/2012	3%	0.75%	\$85,639.35	\$11,442,161.33
10/01/2012-12/31/2012	3%	0.75%	\$86,285.15	\$11,528,446.48
01/01/2013-03/31/2013	3%	0.74%	\$85,278.92	\$11,613,725.40
04/01/2013-06/30/2013	3%	0.75%	\$86,864.30	\$11,700,589.70
07/01/2013-09/30/2013	3%	0.76%	\$88,475.69	\$11,789,065.39
10/01/2013-12/31/2013	3%	0.76%	\$89,144.71	\$11,878,210.10
01/01/2014-03/31/2014	3%	0.74%	\$87,866.21	\$11,966,076.31
04/01/2014-06/30/2014	3%	0.75%	\$89,499.69	\$12,055,576.00
07/01/2014-09/30/2014	3%	0.76%	\$91,159.97	\$12,146,735.97
10/01/2014-12/31/2014	3%	0.76%	\$91,849.29	\$12,238,585.26
01/01/2015-03/31/2015	3%	0.74%	\$90,532.00	\$12,329,117.26
04/01/2015-06/30/2015	3%	0.75%	\$92,215.04	\$12,421,332.30
07/01/2015-09/30/2015	3%	0.76%	\$93,925.69	\$12,515,257.99
10/01/2015-12/31/2015	3%	0.76%	\$94,635.92	\$12,609,893.91
01/01/2016-03/31/2016	3%	0.75%	\$94,057.41	\$12,703,951.32
04/01/2016-06/30/2016	4%	0.99%	\$126,345.31	\$12,830,296.63
07/01/2016-09/30/2016	4%	1.01%	\$129,004.08	\$12,959,300.71
10/01/2016-12/31/2016	4%	1.01%	\$130,301.17	\$13,089,601.88
01/01/2017-03/31/2017	4%	0.99%	\$129,102.92	\$13,218,704.80
04/01/2017-06/30/2017	4%	1%	\$131,824.89	\$13,350,529.69
<b>Prejudgment Violation Range</b>			<b>Quarter Interest Total</b>	<b>Prejudgment Total</b>
<b>05/01/2012-06/30/2017</b>			<b>\$2,050,507.82</b>	<b>\$13,350,529.69</b>



# U.S. Securities and Exchange Commission

## Division of Enforcement

### Prejudgment Interest Report

#### Wayne Weaver: Inventories of Assets as of 12/31/12

Quarter Range	Annual Rate	Period Rate	Quarter Interest	Principal+Interest
Violation Amount				\$7,796,211.92
02/01/2013-03/31/2013	3%	0.48%	\$37,806.29	\$7,834,018.21
04/01/2013-06/30/2013	3%	0.75%	\$58,594.16	\$7,892,612.37
07/01/2013-09/30/2013	3%	0.76%	\$59,681.12	\$7,952,293.49
10/01/2013-12/31/2013	3%	0.76%	\$60,132.41	\$8,012,425.90
01/01/2014-03/31/2014	3%	0.74%	\$59,270.00	\$8,071,695.90
04/01/2014-06/30/2014	3%	0.75%	\$60,371.86	\$8,132,067.76
07/01/2014-09/30/2014	3%	0.76%	\$61,491.80	\$8,193,559.56
10/01/2014-12/31/2014	3%	0.76%	\$61,956.78	\$8,255,516.34
01/01/2015-03/31/2015	3%	0.74%	\$61,068.20	\$8,316,584.54
04/01/2015-06/30/2015	3%	0.75%	\$62,203.50	\$8,378,788.04
07/01/2015-09/30/2015	3%	0.76%	\$63,357.41	\$8,442,145.45
10/01/2015-12/31/2015	3%	0.76%	\$63,836.50	\$8,505,981.95
01/01/2016-03/31/2016	3%	0.75%	\$63,446.26	\$8,569,428.21
04/01/2016-06/30/2016	4%	0.99%	\$85,226.01	\$8,654,654.22
07/01/2016-09/30/2016	4%	1.01%	\$87,019.47	\$8,741,673.69
10/01/2016-12/31/2016	4%	1.01%	\$87,894.42	\$8,829,568.11
01/01/2017-03/31/2017	4%	0.99%	\$87,086.15	\$8,916,654.26
04/01/2017-06/30/2017	4%	1%	\$88,922.25	\$9,005,576.51
<b>Prejudgment Violation Range</b>			<b>Quarter Interest Total</b>	<b>Prejudgment Total</b>
<b>02/01/2013-06/30/2017</b>			<b>\$1,209,364.59</b>	<b>\$9,005,576.51</b>

# **EXHIBIT B**

Jammmin Java Corp Wayne Weaver and Weaver-Related Entities Schedule of Disgorgement		Entity and Account Beneficiary	Account	Sales Proceeds / Shares Sold	Date	Amount	Description
SALES PROCEEDS OF JAMMIN JAVA SHARES IN WEAVER-RELATED ENTITIES							
Donnolis Invest Corp Wayne Weaver		Finter Bank		\$ 156,497.46			Sales Proceeds
Arcis Assets S.A. Wayne Weaver		CBH		\$ 6,306,924.44			Sales Proceeds
Timotel Overseas, Inc. Wayne Weaver		Verdmont		\$ 4,686,330.77			Sales Proceeds
Calgon Invest SA Wayne Weaver		Bateman		\$ 5,807,226.65			Sales Proceeds
Manitou S.A. Wayne Weaver		Bank Gutenberg		\$ 5,855,174.87			Sales Proceeds
		TOTAL:				\$ 22,812,154.19	
TRANSFERS OF SALES PROCEEDS OF JAMMIN JAVA SHARES IN SUN, MILLER, AND AL-BARWANI-RELATED ENTITIES TO WEAVER AND WEAVER-RELATED ENTITIES							
Las Colinas Limited Kevin Miller		VP Bank / Rigi Capital			ACTIVITY		
					03/25/11	\$ 1,000,022.09	Blue Leaf Capital Limited / Barclays Bank PLC London / Sort Code: 20 65-63 / SWIFT: BARCGB22 /
					03/25/11		A/C #xxxx0399 / IBAN: GB84 BARC 2065 6375 0803 99
					SUBTOTAL:	\$ 1,000,022.09	
Torino Invest S.R.L. Michael Sun		CBH			ACTIVITY		
					03/15/11	\$ 700,000.00	Transfer to Arcis Assets
					04/21/11	\$ 700,000.00	Transfer to Arcis Assets
					SUBTOTAL:	\$ 1,400,000.00	
Westpark Limited Michael Sun		VP Bank / Rigi Capital			ACTIVITY		
					09/23/11	\$ 1,159,409.08	Donnolis Invest Corp / 03/02/11 Share Purchase Agreement: \$1,159,327 Payable at \$.40 / share for 2,898,317
					09/23/11		Finter Bank Zurich AG /IBAN: CH2908256100041201000 /SWIFT: FBZUHZZZ
					SUBTOTAL:	\$ 1,159,409.08	"Wayne" provided Daniel Lacher the wire transfer details for the movement of the funds
		TOTAL:				\$ 3,559,431.17	
TRANSFERS OF ASSETS ACQUIRED WITH SALES PROCEEDS OF JAMMIN JAVA SHARES IN SUN, MILLER, AND AL-BARWANI-RELATED ENTITIES TO WEAVER AND WEAVER-CONTROLLED ACCOUNTS							
Renavial Ltd. Mohammed Al-Barwani		VP Bank / Rigi Capital			ACTIVITY		

Entity and Account Beneficiary	Account	Sales Proceeds / Shares Sold	Date	Amount	Description
INVENTORY OF ASSETS IN SUN, MILLER, AND AL-BARWANI-RELATED ENTITIES AS OF 12/31/12 Las Colinas Limited Kevin Miller	VP Bank / Rigi Capital		12/21/11	\$ 1,974,282.55	Buy 38 Feingold 1 kg Barren 999.9 fein USD (Price 51.96 USD)
			12/21/11		Physical Bull on Purchased: Security #16003023; To be stored in a safe at VP Bank (Zurich) for Renavial
			12/21/11		Appears as tho Safe Deposit Box #S000170 was ordered on 12/23/11 & Gold delivered from securities a/c
			SUBTOTAL:	\$ 1,974,282.55	
			04/20/12	\$ 11,300,021.87	Tare Finance & Invest Limited / Aktif Bank; Turkey / SWIFT: CAYTTRIS; IBAN: TR0300143000000000000407439 /
	04/20/12		04/20/12		Bunyamin Aktun, representing Trustee bsb & Consulco with respect to the 04/05/12 Fiduciary Agreement between "beneficial owner" A-Barwani and Trustee bsb & Consulco
	04/20/12		SUBTOTAL:	\$ 11,300,021.87	
				\$ 13,274,304.42	
Torino Invest S.R.L. Michael Sun	CBH		12/24/12	\$ 533,817.00	Cost of 1,000 Shares of Apple
			12/31/12	\$ 60,984.12	12/31/12 USD Cash Balance
			12/31/12	CAD 999,918.88	12/31/12 CAD Cash Balance
			12/31/12	\$ 1,004,237.10	Account Equity - USD Equivalent of CAD Balance
			SUBTOTAL:	\$ 1,599,038.22	
Westpark Limited Michael Sun	VP Bank / Rigi Capital		12/31/12	\$ 54,633.56	12/31/12 USD Cash Balance (Misc Other Credits in A/C for Interest and Sales of Other Securities)
			12/31/12	CAD 7,593.75	12/31/12 CAD Cash Balance (Aggregate Interest Rec'd on CAD Demand Deposit)
			12/31/12	\$ 7,626.54	Account Equity - USD Equivalent of CAD Balance
			12/31/12	\$ 1,500,000.00	12/31/12 USD Valuat on for Contract #501-0000609 Fiduciary On Demand .50% Deposit (USD)
			12/31/12	\$ 1,507,476.58	12/31/12 USD Valuation for Contract #501-0000609 Fiduciary On Demand .95% Deposit (CAD)
			SUBTOTAL:	\$ 3,069,736.68	
Renavial Ltd. Mohammed Al-Barwani	VP Bank / Rigi Capital		12/31/12	CAD 1,499,918.88	12/31/12 CAD Cash Balance
			12/31/12	\$ 1,506,396.38	Account Equity - USD Equivalent of CAD Balance
			SUBTOTAL:	\$ 1,506,396.38	
			03/21/12	\$ 247,434.07	Cost of 2 Shares of Berkshire Hathaway (1 @ \$121,641 USD and 1 @ \$121,657 USD)
	12/31/12	\$ 22,293.59	12/31/12 USD Cash Balance		
	12/31/12	CAD 1,345,502.34	12/31/12 CAD Cash Balance		
	12/31/12	\$ 1,351,312.98	Account Equity - USD Equivalent of CAD Balance		
	SUBTOTAL:	\$ 1,621,040.64			
				\$ 7,796,211.92	
				\$ 47,442,101.70	
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TOTAL DISGORGEMENT AND PREJUDGMENT INTEREST: \$	56,836,060.18
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